

§ 1901.251

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Associate Regional Administrator, USDL/
OFCCP, 1371 Peachtree Street, NE, Room
729, Atlanta, GA 30309, (402) 881-4211).

Region V (OH, IN, MI, IL, WI, MN)
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OFCCP, New Federal Building, 16th
Floor, 2340 South Dearborn Street, Chi-
cago, IL 60604, (312) 353-8887.

Region VI (LA, AR, OK, TX, NM)
Associate Regional Administrator, USDL/
OFCCP, 555 Griffin Square Building,
Room 506, Dallas, TX 75202, (214) 767-4771.

Region VII (MO, IA, NE, KS)
Associate Regional Administrator, USDL/
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Office Building, Room 2000, 911 Walnut
Street, Kansas City, MO 64106, (816) 374-
5384.

Region VIII (ND, SD, MT, WY, CO, UT)
Associate Regional Administrator, USDL/
OFCCP, 14431 Federal Office Building,
1961 Stout Street, Denver, CO 80202, (303)
837-5011.

Region IX (CA, NV, AZ, HI, GU)
Associate Regional Administrator, USDL/
OFCCP, Federal Office Building, Room
10341, 450 Golden Gate, San Francisco, CA
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Region X (WA, OR, ID)
Associate Regional Administrator, USDL/
OFCCP, Federal Office Building, 909 First
Avenue, Room 4095, Seattle, WA 98174,
(206) 442-4508.

[44 FR 24852, Apr. 27, 1979]

Subpart F—Procedures for the Pro- tection of Historical and Ar- cheological Properties

AUTHORITY: 16 U.S.C. 470; 7 U.S.C. 1989; 42 U.S.C. 1480; 42 U.S.C. 2942; 5 U.S.C. 301; sec. 10, Pub. L. 93-357, 88 Stat. 392; delegation of authority by Sec. of Agri., 7 CFR 2.23; delegation of authority by the Asst. Sec. for Rural Development, 7 CFR 2.70; delegations of authority by Dir., OEO, 29 FR 14764, 33 FR 9850.

SOURCE: 42 FR 62141, Dec. 9, 1977, unless otherwise noted.

§ 1901.251 Purpose.

This subpart prescribes Farmers Home Administration (FmHA) or its successor agency under Public Law 103-354 policies, procedures, and guidelines for compliance with section 106 of the National Historic Preservation Act of 1966 (Pub. L. 89-665), the Reservoir Salvage Act of 1960 (Pub. L. 86-523), as amended May 24, 1974, by the

7 CFR Ch. XVIII (1-1-08 Edition)

Archeologic and Historic Preservation Act (Pub. L. 93-291), and section 1(3) of Executive Order 11593. This subpart is inapplicable to Farm Service Agency, Farm Loan Programs.

[42 FR 62141, Dec. 9, 1977, as amended at 72 FR 64121, Nov. 15, 2007]

§ 1901.252 Policy.

(a) The FmHA or its successor agency under Public Law 103-354 recognizes that significant scientific, pre-historical, historical and archeological (HA) resources are an important part of our National Heritage.

(b) The FmHA or its successor agency under Public Law 103-354 will consult with appropriate Federal, State, and local Agencies; other organizations; the State Historic Preservation Officer (SHPO) and individuals to assess the impact of any proposed FmHA or its successor agency under Public Law 103-354 undertaking on properties having historical or archeological significance in order to avoid or mitigate any adverse effects on the properties.

(c) The procedures in this subpart have been developed in accordance with section 1(3) of Executive Order 111593.

§ 1901.253 Definitions.

(a) *Undertaking* means any new or continuing projects or program activities supported in whole or in part through FmHA or its successor agency under Public Law 103-354 contracts, grants, subsidies, loans, or other forms of funding assistance. This does not include any actual construction by FmHA or its successor agency under Public Law 103-354.

(b) *National Historic Preservation Act*. *The National Register* means the National Register of Historic Places, which is a register of districts, sites, buildings, structures, and objects, significant in American history, architecture, archeology, and culture maintained by the Secretary of the Interior under the authority of section 2(b) of the Historic Sites Act of 1935 and section 101(a)(1) of the National Preservation Act. The National Register is published in its entirety in the FEDERAL REGISTER each year in February. Addenda are published on the first Tuesday of each month.

(c) *National Register Property* means a district, site, building, structure, or object included in the National Register.

(d) *Property eligible for inclusion in the National Register* means any district, site, building, structure, or object which the Secretary of the Interior determines is likely to meet the National Register criteria.

(e) *State Historic Preservation Officer (SHPO)* means the official within each State, designated by the Governor at the request of the Secretary of the Interior, to administer the National Register and historic preservation grants program and to coordinate preservation planning within the State.

(f) *Criteria of effect* means when any condition of an undertaking causes or may cause any change, beneficial or adverse, in the scientific, historical, architectural, archeological, or cultural character of a National Register property that qualifies the property under the National Register criteria.

(g) *Historical and archeological assessment* means a determination by the FmHA or its successor agency under Public Law 103-354 State Director using the criteria of effect as a guide, as to whether a proposed undertaking may have an effect upon any properties located within the project area which are included or eligible for inclusion in the National Register.

(h) *National Register criteria* means the following criteria established by the Secretary of the Interior for use in evaluating and determining the eligibility of properties for listing in the National Register: The quality of significance in American History, Architecture, Archeology, and the culture is present in districts, sites, buildings, structures, and objects of State and local importance, that possess integrity of location, design, setting, materials, workmanship, feeling, and association; and

(1) That are associated with events that have made a significant contribution to the broad patterns of our history; or

(2) That are associated with the lives of persons significant in our past; or

(3) That embody the distinctive characteristics of a type, period, or method of construction, or that represent the work of a master, or that possess high

artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction; or

(4) That have yielded, or may be likely to yield, information important in prehistory or history.

(i) *FmHA or its successor agency under Public Law 103-354 official* means the FmHA or its successor agency under Public Law 103-354 County Supervisor, the FmHA or its successor agency under Public Law 103-354 State Director or his designated representative.

(j) *Project area* means those geographical or legally defined areas directly under or to be under the applicants control that are affected by the undertaking such as building sites, easements, rights-of-way, leasehold interests and those areas which are directly and significantly impacted by the undertaking.

(k) *Advisory council* means the Advisory Council on Historic Preservation, Suite 430, 1522 K Street NW., Washington, DC 20005, created by title II of Pub. L. 89-665 and charged with the responsibility of advising the President, Congress, and others on matters relating to historic preservation.

(l) *HA* as used in this regulation is an abbreviation of the term "scientific, prehistorical, historical, and archeological."

§ 1901.254 Scope.

FmHA or its successor agency under Public Law 103-354 will evaluate all undertakings for possible HA significance. This subpart covers the following types of undertakings:

(a) *Undertakings requiring a historical and archeological assessment.* Although the following undertakings are presumed to involve nonfederally owned lands, they may have an effect on properties having HA significance and, therefore, will require a historical and archeological assessment:

(1) Loans and grants for the development of business and industry including guaranteed loans.

(2) Loans and grants for multiple family housing projects of 25 or more dwelling units.

(3) Subdivision plans submitted for approval having 25 or more building sites.